

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

JANSSEN CONTRACTING
COMPANY, INC.,

Plaintiff,

vs.

JON P. COLMAN and NORTHWEST
HYGIENETICS, INC.,

Defendants.

Case No. A04-247 CV (RRB)

SCHEDULING AND PLANNING CONFERENCE REPORT

1. **Meeting.** In accordance with F.R.Civ.P. 26(f), a meeting was held on January 18 and 19, 2006 and was attended by:

Thomas Gingras Attorney for plaintiff (Janssen Contracting Company, Inc.)

Robert P. Blasco Attorney for defendants (Jon P. Colman & Northwest Hygienetics, Inc.)

The parties recommend the following:

2. **Pre-Discovery Disclosures.** The information required by F.R.Civ.P. 26(a)(1):

_____ have been exchanged by the parties

 x will be exchanged by the parties by May 1, 2006

Proposed changes to disclosure requirements: None.

Preliminary witness lists

_____ have been exchanged by the parties

 x will be exchanged by the parties by May 1, 2006

3. **Contested Issues of Fact and Law.** Preliminarily, the parties expect the following issues of fact and/or law to be presented to the court at trial in this matter:

Liability and damages.

4. **Discovery Plan.** The parties jointly propose to the court the following discovery plan.

A. Discovery will be needed on the following issues:

Liability and damages.

B. All discovery commenced in time to be completed by October 16, 2006

C. Limitations on Discovery.

1. Interrogatories

 x No change from F.R.Civ.P. 33(a)

 Maximum of by each party to any other party.

Responses due in days.

2. Requests for Admissions.

 x No change from F.R.Civ.P. 36(a).

 Maximum of requests.

Responses due in days.

3. Depositions.

 x No change from F.R.Civ.P. 30(a), (d).

 Maximum of depositions by each party.

Depositions not to exceed hours unless agreed to by all parties.

D. Reports from retained experts.

 Not later than 90 days before the close of discovery subject to

F.R.Civ.P 26(a)(2)(C).

x Reports due:

From plaintiff September 1, 2006 From defendant October 6, 2006

Rebuttal reports from plaintiff October 20, 2006

E. Supplementation of disclosures and discovery responses are to be made:

 Periodically at 60-day intervals from the entry of scheduling and planning order.

 x As new information is acquired, but not later than 60 days before the close of discovery.

F. A final witness list, disclosing all lay and expert witnesses whom a party may wish to call at trial, will be due:

 x 45 days prior to the close of discovery.

 Not later than (*insert date*)

5. **Pretrial Motions.**

 x No change from D.Ak. LR 16.1(c).

The following changes to D.Ak. LR 16.1(c). [Check and complete all that apply]

 Motions to amend pleadings or add parties to be filed not later than (*insert date*)

 Motions under the discovery rules must be filed not later than (*insert date*).

 Motions in limine and dispositive motions must be filed not later than (*insert date*).

6. **Other Provisions:**

A. x The parties do not request a conference with the court before the entry of the scheduling order.

 The parties request a scheduling conference with the court on the following issue(s):

B. Alternative Dispute Resolution. [D.Ak. LR 16.2]

 This matter is not considered a candidate for court-annexed alternative dispute resolution.

 x The parties will file a request for alternative dispute resolution not later than November 15, 2006.

 Mediation Early Neutral Evaluation

C. The parties do x not consent to trial before a magistrate judge.

D. Compliance with the Disclosure Requirements of F.R.Civ.P. 7.1

 All parties have complied

 x Compliance not required by any party

7. **Trial.**

A. The matter will be ready for trial:

 90 days after the discovery close date.

 x not later than December 11, 2006

B. This matter is expected to take 5 days to try.


C. Jury Demanded x Yes No

Right to jury trial disputed? Yes No x

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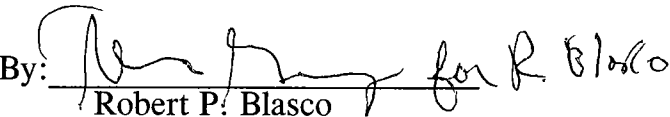
EIDE, GINGRAS & PATE, P.C.
Attorneys for Plaintiff
Janssen Contracting Company, Inc.

Dated: 11/20/06

By: 
Thomas S. Gingras
Alaska Bar No. 7811098

ROBERTSON, MONAGLE &
EASTAUGH
Attorneys for Defendants
Jon P. Colman & Northwest Hygienetics,
Inc.

Dated: 11/20/06

By: 
Robert P. Blasco
Alaska Bar No. 7710098

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Eide, Gingras & Pate P.C.
425 G Street, Suite 930
Anchorage, Alaska 99501
(907) 279-0930 telephone
(907) 279-0933 fax